



Rep. Frank J. Mautino

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09600HB3861ham003

LRB096 06606 RPM 24807 a

1 AMENDMENT TO HOUSE BILL 3861

2 AMENDMENT NO. _____. Amend House Bill 3861 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 adding Section 370u as follows:

6 (215 ILCS 5/370u new)

7 Sec. 370u. Out-of-network health care provider. Every
8 health insurer, health plan, and health maintenance
9 organization that provides incentives for insureds or
10 enrollees to seek services from a specific provider network and
11 to pay co-payments for services must pay for out-of-network
12 health care provided by out-of-network physicians as provided
13 in this Section. When an insured or enrollee utilizes a network
14 hospital and due to any reason services at that network
15 hospital are provided by an out-of-network physician with whom
16 the insured or enrollee does not have a physician-patient

1 relationship, the health insurer, health plan, or health
2 maintenance organization shall ensure that the insured or
3 enrollee is provided the covered service at no greater cost to
4 the insured or enrollee than if the service had been provided
5 by a network physician. The insurer, plan, or health
6 maintenance organization shall pay the out-of-network
7 physician providing services in the network hospital the lesser
8 of the actual charged amount or the amount the insurer, plan,
9 or health maintenance organization pays to their
10 out-of-network physicians pursuant to the health benefits plan
11 providing the coverage for the services to the insured or
12 enrollee, less any cost sharing that is the responsibility of
13 the insured or enrollee for similar in-network services.

14 Except for applicable co-payments, deductibles, or
15 co-insurance responsibilities of the insured or enrollee, a
16 healthcare provider shall not bill or otherwise attempt to
17 recover from the insured or enrollee the difference between the
18 healthcare provider's charge and the amount paid by the
19 insurer, plan, or health maintenance organization."